

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BRIAN YOUNG, )  
v. Plaintiff, ) Civil Action No. 10 - 786  
v. ) District Judge Nora Barry Fischer  
BRIAN COLEMAN, *Superintendent*; )  
SAMUEL RYMAROWIZ, *LT.*; SERGEANT )  
GUNSALLUS; CORRECTION OFFICER )  
MAZCKO; CRIS MYERS, *Physcions* )  
*Assistant*; R. TRETINIK, *Correctional Health* )  
*Care Administrator*; CORRECTION OFFICER )  
JOHN DOE 1; CORRECTION OFFICER 2; )  
CORRECTION OFFICER JOHN DOE 3; )  
CORRECTION OFFICER JOHN DOE 4 *and* )  
*various other JOHN DOE'S to be named when* )  
*identified* )  
Defendants. )

**ORDER**

The above captioned case was initiated on June 9, 2010, by the filing of a Motion to Proceed *In Forma Pauperis* accompanied by a Complaint. It was referred to Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 635(b)(1), and the Local Rules of Court.

The Magistrate Judge's Report and Recommendation (ECF no. 31), filed on May 2, 2011, recommended that the Motion to Dismiss filed by Defendant P.A. Chris Myers (ECF No. 22) be denied. No objections have been filed. After a review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

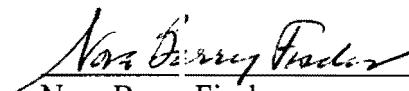
AND NOW, this 26<sup>th</sup> day of May, 2011;

**IT IS HEREBY ORDERED** that the Motion to Dismiss filed by Defendant P.A. Chris

Myers (ECF No. 22) is **DENIED**.

**IT IS FURTHER ORDERED** that the Report and Recommendation (ECF no. 31) dated May 2, 2011, is adopted as the Opinion of the Court.

By the Court:



Nora Barry Fischer  
Nora Barry Fischer  
United States District Judge

cc: Brian Young  
DL - 3506  
S.C.I. Forest  
P.O. Box 945  
Marienville, PA 16239